

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

	}	
IN RE: BLUE CROSS BLUE SHIELD	}	
	}	Master File No.: 2:13-CV-20000-RDP
ANTITRUST LITIGATION	}	
(MDL NO.: 2406)	}	This order relates to the Subscriber Track
	}	

ORDER

This matter is before the court on two Complaints filed *in camera* with the Special Master relating to attorneys fees awarded to Patrick W. Pendley and the law firm Pendley, Baudin & Coffin, LLC in connection with the Subscriber Settlement. Both Complaints assert that counsel other than Pendley and his firm have claims to a portion of the award to Pendley and his firm.

The first Complaint was filed by attorney Gordon Ball, Gordon Ball, LLC, and Gordon Ball PLLC (the “Ball Parties”). The second Complaint was filed by The Dampier Law Firm, P.C. and McArthur Law, L.L.C. (the “Dampier Parties”).


These Complaints are **SEVERED** from this action. The Clerk of Court is **DIRECTED** to file the Amended Complaint filed by the Ball Parties and the Complaint filed by the Dampier Parties into two separate civil actions, which will be assigned to the undersigned. The Special Master is directed to file any related filings in the two cases, and any future filings **SHALL** be filed with the court in the respective case.

The court is aware that the method used to determine attorney fee allocations relating to the Subscriber Settlement is confidential. However these cases do not appear to address how the award to Pendley and the law firm Pendley, Baudin & Coffin, LLC was determined. The parties

simply dispute whether the Ball Parties and/or the Dampier Parties are entitled to a portion of the amounts awarded to Pendley and his firm. The parties to these to-be-filed cases are **PROHIBITED** from attempting to address the method used to determine the Subscriber attorney fee allocations in any manner in any public filing. However, the court sees no reason that these parties' disputes over the division of the award need to remain confidential.¹

The Clerk of Court **SHALL** also file a copy of this Order in each case.

DONE and **ORDERED** this January 6, 2025.


R. DAVID PROCTOR
CHIEF U.S. DISTRICT JUDGE

¹ The court is aware that the Ball Parties' complaint discusses a medical issue suffered by Ball, but that information is already in the public domain. *See, e.g.*, https://www.newportplaintalk.com/opinion/article_9f6db45b-da10-5dd8-b60c-b09496210882.html (last visited January 6, 2025).